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FISCAL IMPACT STATEMENT

LS 6716

BILL NUMBER: SB 258

NOTE PREPARED: Dec 30, 2008

BILL AMENDED:

SUBJECT: Parental Notice of Abstinence-Only Education.

FIRST AUTHOR: Sen. Breaux

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: *Notification of Abstinence-Only Course-* This bill requires a principal to send notice to parents if the school is providing abstinence-only human sexuality courses. It specifies the language of the notice. It allows a parent to have the parent's child excused from abstinence-only courses.

Appeal- The bill also provides an appeals process for a parent who does not receive notice of the parent's right to address the governing body concerning curriculum.

Effective Date: July 1, 2009.

Explanation of State Expenditures: *Appeal-* The bill would require the State Superintendent of Education to investigate requests from parents who believe that a school corporation has not adequately responded to their concerns about their children being enrolled in an abstinence-only course. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Explanation of State Revenues:

Explanation of Local Expenditures: *Notification of Abstinence-Only Course-* Schools have to notify parents at least once a year that their children are enrolled in an abstinence-only course. Parents, if they wish, may withdraw their children from such a course. Schools could incur the cost of postage if they choose to notify parents by mail.

Parents who believe that the school failed to notify them that their children are enrolled in an abstinence-only course may file a complaint with the school superintendent. The superintendent must take corrective action

and inform the parents of the action taken. If parents are dissatisfied with the response, they may forward the complaint to the school corporation. Parents who are not satisfied with the results of the school corporation's review may then petition the State Superintendent of Education to investigate the claim.

Appeal- As a means of last resort, parents would be able to appeal for judicial review if they disagree with the finding of the State Superintendent of Education that a school did not purposely neglect to inform them about their children attending an abstinence-only course. As a result, the appropriate court of review could receive additional cases with regard to noncompliance of schools under this bill.

Explanation of Local Revenues: *State and Federal Funding-* If it were determined by the Department of Education that a school deliberately failed to implement the provisions of this bill, the Department could withhold federal and state funding for abstinence-only education from the noncompliant school district for one year or more.

State Agencies Affected: State Superintendent of Public Instruction.

Local Agencies Affected: Schools; Trial courts.

Information Sources:

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